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In Application of
Kinefelter
Application No.: 09/752,514
Filed: January 3, 2001
Attorney Docket No.: ISA-013.03

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), requesting revival of the above-identified application.

This application was held abandoned for failure to timely submit the issue fee and publication fee within three months of the mailing of the September 30, 2004 Notice of Allowance and Fee(s) Due. Applicant submitted a completed Part B-Fee(s) Transmittal on January 3, 2005 (certificate of mailing date December 29, 2004) that contained authorization for the Office to charge deposit account no. 06-1448 the issue fee, the publication fee, advance copies of the future patent, and all other required fees. The Office contended that this application became abandoned on December 30, 2004 because deposit account no. 06-1448 did not contain sufficient funds to charge the required fees on January 5, 2005, when a member of the Office attempted to charge the fees. A Notice of Abandonment was not mailed in this application.

Applicant has submitted a proper reply in the form of the issue fee, the publication fee and the PTOL-85, an acceptable statement of the unintentional nature of the delay in responding to the September 30, 2004 Notice of Allowance and Fee(s) Due, and the petition fee.

The petition is **granted**.

This application is being forwarded to Publishing Division for consideration of the drawings filed on January 3, 2005 (certificate of mailing date December 29, 2004).

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "E. Shirene Willis". The signature is written in a cursive, flowing style.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy